



CALL TO ORDER and ROLL CALL







Overview of the Running of Meetings Agenda Item 4

Introductions of Commission Members Agenda Item 5







Please introduce yourself to the Commission by name and information about yourself that you would like to share with the Committee

Feel free to include information about the following:

Community Work
Community Experience
What you are passionate about
A personal bit of information
Any demographic information you would like to share
A fun fact about yourself



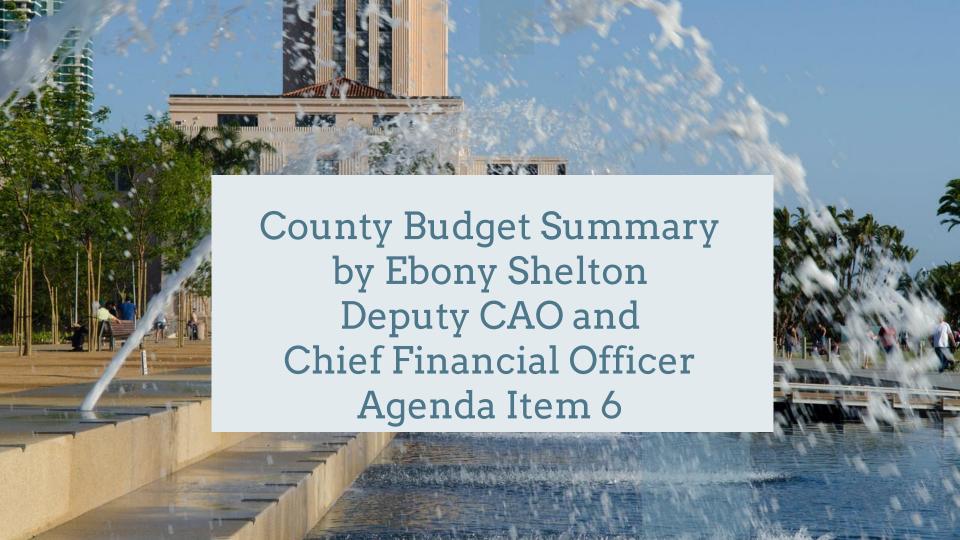




Staff Members

- **Denise Alvarez-Negrete,** Admin. Secretary III, Office of Ethics and Compliance
- Natalia Bravo, CAO Project Manager, Chief Administrative Office
- Elizabeth Bustos, Community Development Liaison, HHSA Executive Office
- Claudia Silva, Director, Office of Ethics and Compliance
- Garrett Stanton, Management Fellow, Office of Ethics and Compliance
- Andrew Strong, CAO Chief of Staff, Chief Administrative Office
- Rachel Witt, Chief Deputy County Counsel, Office of County Counsel





COUNTY OF SAN DIEGO BUDGET OVERVIEW

Ebony SheltonDeputy CAO/Chief Financial Officer
August 2020

Budget Process Overview

- Developing the Operational Plan
 - County Financial Planning and Budgeting Environment
 - Budget Decision Making Phases
- County Budget

Core Services

State Programs

 Examples: social service assistance, health programs, foster care, adult protective services

Regional Services

• Examples: detention facilities for youth and adults, criminal prosecution, elections, tax assessment and collection, food and restaurant inspections, beach water monitoring

Municipal Services in Non-City Communities

• Examples: law enforcement, libraries, parks, roads, land use zoning



DEVELOPING THE OPERATIONAL PLAN

Planning and Budgeting Environment



Operational Plan

- The Operational Plan is the resource allocation component of the County's General Management System. It seeks to document and communicate to the public:
 - How the County plans to use its resources to achieve the goals laid out in the Strategic Plan and provide services to County residents; and
 - The work the County has accomplished in the previous fiscal year.
- Developed based on recommendations made by the Chief Administrative Officer

Developed in Accordance with State Law

County Budget Act (Gov Code 29000-29144)

Recommended Budget

Guidelines for Revisions

Adopted Budget

Hearing and Notice Requirements

Amended Budget

Amendments after adoption including vote requirements

Decision Making Phases

Recommended Budget

Budget Document Available Monday, July 20, 2020

Public Hearings

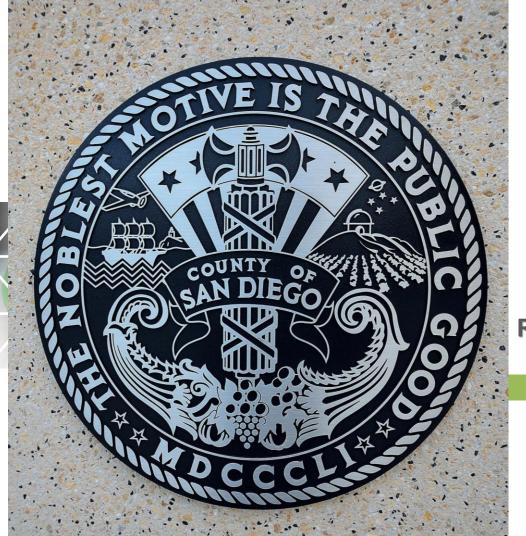
- Start: Monday, August 10, 2020 at 9am
- Completion: Wednesday, August 19, 2020 at 5pm
 - Evening Hearing: Wednesday, August 12, 2020 at 5:30 pm

Adopted Budget

- Revisions to Recommended Budget Available Friday, August 21, 2020
- Deliberations and Adoption Tuesday, August 25, 2020 at
 2pm

Key Financial Policies

- A-136: Use of County of San Diego General Management System for Administration of County Operations
- A-87: Competitive Procurement
- B-29: Fees, Grants, Revenue Contracts Department Responsibility for Cost Recovery
- B-65: Long-term Financial Obligations and Management Policy
- G-16: Capital Facilities and Space Planning
- Government Code § 29009: Balanced Budget Requirement
- Administrative Code Section 113.4: Fund Balances and Use of One-Time Revenues



FY 20-21 RECOMMENDE D BUDGET

Operating Environment







Budget Strategy

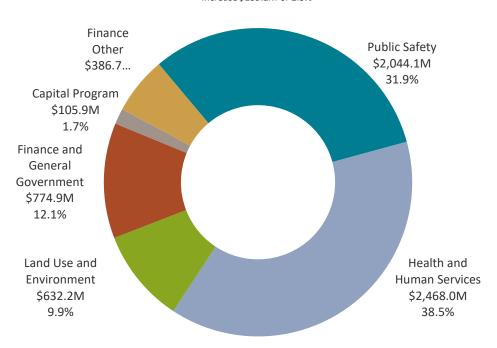
Deployed a multifaceted strategy to address major revenue shortfalls and expenditure needs in FY 2020-21:

- Spending available one-time funds including the County's General Fund Reserve, restricted/committed funds, and from balances outside of the general fund
- Slowing down or stopping non-essential services and projects where feasible
- Service reductions

Total Appropriations by Group/Agency

FY 2020-21 Recommended Budget

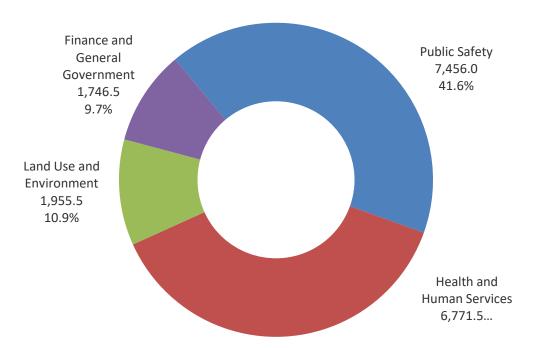
\$6.41 billion



Total Staffing by Group/Agency

FY 2020-21 Recommended Budget

Total Staffing: 17,929.5 Staff Years



¹One staff year is equivalent to one permanent employee working fulltime for one year.

Funding Sources

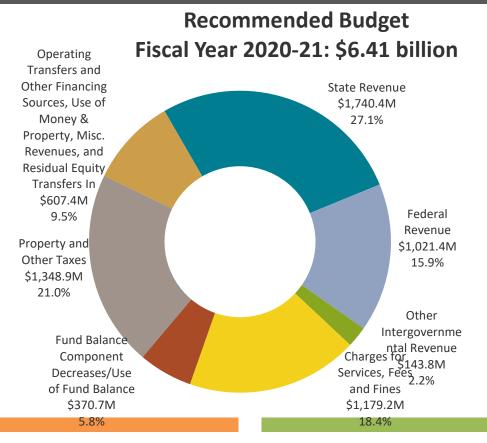
Program Revenue

- Funds Specific Programs
- State and federal funding for entitlement and other mandated programs
- Restricted in use
- Makes up the bulk of County's revenue
 Tunds Wost Regional Law Enforcement,
 and General Government Services
- Primary source of discretionary funding
- Property tax makes up the bulk
- Other sources include unincorporated area sales tax, vehicle license fees, transient occupancy tax, real property
- A one-time resource used for one-time expenses and to mitigate unexpected events or requirements. By nature, not suitable to fund ongoing operations.

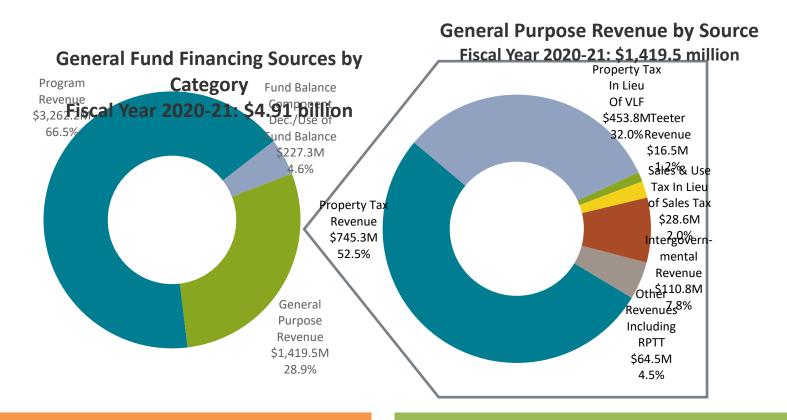
General Purpose Revenue

Fund Balance

Budget by Category of Revenue

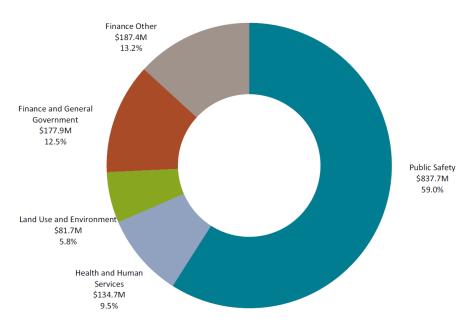


General Purpose Revenue



General Purpose Revenue

General Purpose Revenue Allocations by Group/Agency Fiscal Year 2020-21: \$1,419.5 million



General Fund Status

Comprehensive Annual Financial Report

(in thousands)

Balance Sheet, Governmental Funds – General Fund	Fiscal Year 2017-18	Fiscal Year 2018-19
Fund Balances		
Nonspendable	22,747	47,019
Restricted	319,782	608,729
Committed	796,086	637,450
Assigned	480,063	418,718
Unassigned:	688,449	712,149
General Fund Minimum Reserve*	623,322	646,401
Available Unassigned	65,127	65,748
Total Fund Balances	\$2,307,127	\$2,424,065

^{*}San Diego County Administrative Code Sec 113.1 requires that a portion of Unassigned General Fund fund balance equal to 16.7% of audited General Fund expenses be maintained as a General Fund Reserve

**Fiscal Year 2019-20 estimate unaudited

Source: County Auditor and Controller

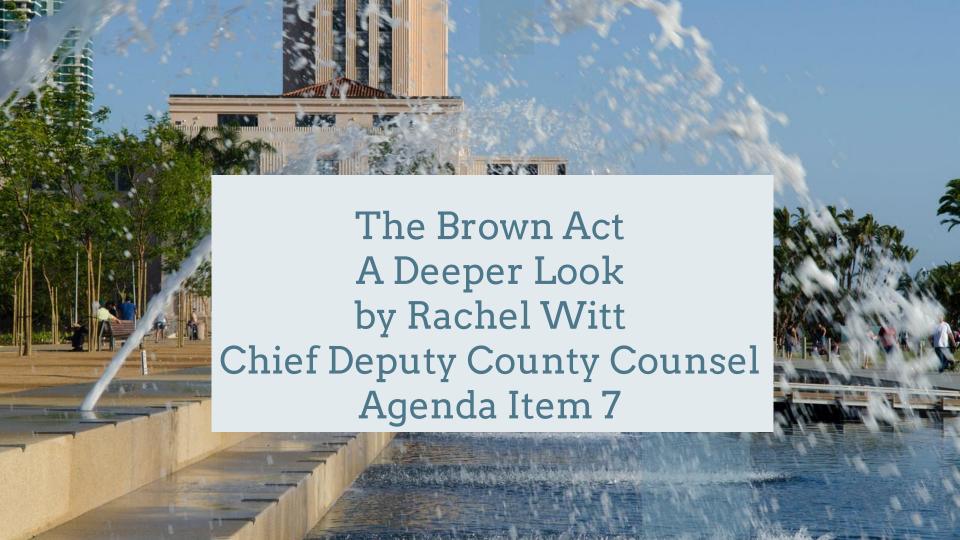
General Fund Status Update

	(in millions)
Unassigned Fund Balance as of June 30, 2019	712.1
Less: FY 2019-20 Uses Approved by the Board of Supervisors	(74.0)
Plus: Projection of FY 2019-20 Budgetary Fund Balance	123.8
Less: Anticipated Uses of Fund Balance for FY 2020-21	(150.4)
Projected Unassigned Fund Balance as of June 30, 2020	611.5
Projected General Fund Minimum Reserve as of June 30, 2020	707.1
FY 2019-20 Estimated Amount Below Minimum	95.6
FY 2021-22 Estimated Budget Need	135.0

Replenishment Strategy \$231 million over 3 years based on anticipated future General Purpose Revenue:	
Fiscal Year 2020-21	25.0
Fiscal Year 2021-22	170.0
Fiscal Year 2022-23	36.0
Total	231.0

THANK YOU





The Brown Act: A Deeper Look

Gov. Code §§ 54950-54963

Executive Order N-29-20 *

Rachel H. Witt, Chief Deputy
Office of County Counsel

August 11, 2020

Human Relations Commission

- Required to comply with the Brown Act
- O Transparency Goals
 - Public access to meetings
 - Public access to deliberations
 - Public participation
 - Public access to documents

How the Brown Act Accomplishes its Goals

- O Broad definition of "legislative body"
- O Broad definition of "meeting"
- Logistical requirements
- Notice requirements
- Communication rules
- O Public records
- Sanctions

What is a "Legislative Body"?

- The governing body of a local agency
 - County, city, school district, district
- A local body created by state or federal statute
- A commission, committee, board or other body created by formal action of a legislative body

Gov't Code § 54952

A Legislative Body Can Be:

- Permanent or Temporary
- Decision making or Advisory
- Created by charter, ordinance, resolution or formal action
- Also includes standing committees
 - Resolution establishing HRC

What is a "Meeting"?

Broadly Defined

- A congregation of a **majority** of members
- At the same time and place
- To hear, discuss or deliberate on something within their jurisdiction
- Including indirect communication (serial meetings)

Gov't Code § 54952.2

Majority of Members

- Human Relations Commission
 - 31 member commission
- O Currently
 - 24 members appointed
- O Bylaws Majority of members appointed

13 to take action

16 once the full Commission is seated

Serial Meetings Prohibited

What is a "serial meeting"?

- O Majority of members use
- a series of communications
- o of any kind (technology)
- directly or through intermediaries
- o to discuss, deliberate or take action

Gov't Code § 54952.2

Serial Meetings - Methods

Discussing/sharing views through a series of:

- O Emails, Text messages
- Phone conversations
- Face-to-face conversations
- O Intermediaries or polls
- Examples
 - Chain: A contacts B; B contacts C ...
 - Hub & Spoke: A contacts B; A contacts C ...

Prohibition Against Serial Meetings Does Not Prohibit All Communication

Prohibition of serial meetings does not prevent an employee or official of a local agency from engaging in separate communications with members of legislative body in order to answer questions or provide information regarding a matter so long as that person does not communicate the comments or position of the member to other members of the legislative body.

- Gov't Code § 54952.2(b)

Not a Meeting

• Individual contacts with a member

- Attendance at a conference or noticed non-Commission meeting so long as:
 - a it's open to the public
 - b members don't discuss business within their jurisdiction except as part of the scheduled program

Not a Meeting (cont'd.)

 Attendance of a majority at a purely social or ceremonial occasion [no discussion of Commission business]

• Attendance as **observers** only at an open and noticed meeting [no discussion of Commission business]

Gov't Code § 54952.2

Meetings Open to the Public

- O All meetings shall be <u>open and public</u> and all persons shall be permitted to attend any meeting unless the Brown Act expressly states otherwise
- Secret ballots are prohibited
- O Must publicly report any action taken and the vote or abstention on that action for each member present
- -Gov't Code § 54953(a)

Regular Meetings: Time and Place

• Establish regular meetings by ordinance, resolution, bylaw or other rule

• Within the boundaries the territory over which the local agency exercises jurisdiction, subject to certain exceptions set forth in the statute *

Gov't Code § 54954 as modified by EO No. 29-20

Meetings- Prohibited Facilities

Meetings may not be in any facility that:

- Discriminates
- Inaccessible to disabled
- Requires payment *

Gov't Code § 54961, as modified by EO No. 29-20

Accommodations Under the ADA

 All public meetings must meet the protections and prohibitions contained in the ADA

• Under the EO: Establish a procedure to receive and resolve requests for reasonable accommodations (virtual locations)

Gov't Code § 54953.2 as modified by EO 29-20

No Conditions to Attendance by the Public

• Registration is not required

• Attendance or registration lists must state signing is voluntary

Gov. Code § 54953.3

Regular Meetings – Notice: Agenda Content and Posting Requirements

- O Post 72 hours before a regular meeting
- A brief general description of each item to be discussed or acted upon
- O Specify the time and location of the regular meeting and must be posted in a location that is freely accessible to members of the public and on the Commission's Internet Web site
- Agenda must state who to ask for an alternate agenda as required by the ADA

Requirement to Mail Notice to Requesting Parties

- O Upon written request the agenda and backup materials must be timely mailed to a person
- The written request is valid for one calendar year
- A fee may be charged not to exceed the cost of providing the service
- Alternate agenda packets must be available if requested as required by the ADA
- Gov't Code § 54954.1

Special Meetings- Notice: Agenda Content and Posting Requirements

- Presiding officer can call (Chair)
- O Majority of members can call
- 24-hour notice to be <u>received</u> by:
 - members
 - media having requested it
- Post notice in a location freely accessible to the public and on the local agency's Internet Web site, if there is one
- O Notice to identify time, place & business Gov't Code § 54956

Emergency Meetings

- Allowed where prompt action is necessary due to disruption of public facilities (without 24-hour notice)
- in an emergency where the majority finds the emergency severely impairs public health, safety or both
- Allowed in dire emergency (cannot provide even 1-hour notice)
 - mass destruction or threatened terrorist act that poses so immediate and significant a peril as to warrant not even one hour notice

Teleconferenced Meetings

- Meetings where members are in different locations connected electronically by video, audio or both
- Specific procedures are required:
 - Votes taken by roll call
 - Agendas must list and be posted at all locations (including the remote location) *
 - A quorum must be within the jurisdiction and open to the public with an opportunity to speak*

Gov't Code § 54953 as modified by EO 29-20

Public Comment

- Public opportunity to provide comment on specific agenda items and general public comment
 - May impose reasonable time limits
 - Public criticism must be allowed
- Under the EO members allowed to observe the meeting and provide comment either telephonically or otherwise electronically*

Gov't Code § 54954.3 as modified by EO 29-20

No Action/Discussion on Items Not Posted

General Rule:

No action or discussion may be taken on any item not on the posted agenda

"Action" means

- A collective decision of a majority
- A collective commitment or promise of a majority
- An actual vote by a majority sitting as a body or entity

Gov't Code § 54952.6

Exceptions to No Discussion Rule

- O Briefly respond to public's statement or question
- Ask a question for clarification
- Make a brief announcement or report on member's activities
- O Referral to staff for information and report back
- O Direct staff to place a matter on a future agenda

Gov't Code § 54954.2

Conduct of Meetings - Right to Record

- O By audio or video or motion camera recording unless persistent disruption results
- Recordings made by the agency are public records but may be destroyed 30 days after recording
- Inspection of video or tape recordings must be provided for without charge

Gov't Code § 54953.5

Conduct of Meetings - Right to Broadcast

 Cannot be restricted unless there is finding that it results in persistent disruption

-Gov't Code § 54953.6

Greater Access to Meetings

 Local agency may impose greater access on legislative bodies they create

 Commission may allow for greater access than required

Gov't Code § 54953.7

Documents Given to Legislative Body at Open Meetings

- O Writings available to public
- Available in alternative formats for persons with disabilities
- Available at meetings prepared by agency
- O Available after meetings prepared by other
- Not required if the Public Records Act provides an exemption

Gov't Code § 54957.5

Clearing of Meeting Room

- Willful interruption
- Orderly conduct of meetings unfeasible
- Removal of disruptive individuals
- Removal of everyone except media not involved in the disturbance

Gov't Code § 54957.9

Meetings May Be Adjourned

- To a time & place specified in the order
- O Less than a quorum may adjourn
- Staff may adjourn if no members
- The adjournment order must be posted within 24 hours on the door and online
- Hearings may be continued by the same process
- For continuances of less than 24 hours, immediate notice must be posted

Gov't Code §§ 54955 & 54955.1

Closed Session - General

 Authority for closed sessions narrowly construed

 Closed sessions must be expressly authorized by statute

O Gov't Code §§ 54956.75 through 54957.8 (allowed closed session items)

Sanctions

- Each member who attends a "meeting" where "action" is taken in violation of the Brown Act and the member knows or has reason to know the public is entitled is guilty of a misdemeanor
- The DA or any interested person may sue to ask a court for judicial relief (including stopping, prevention or invalidating an action)

Gov't Code §§ 54959 & 54960

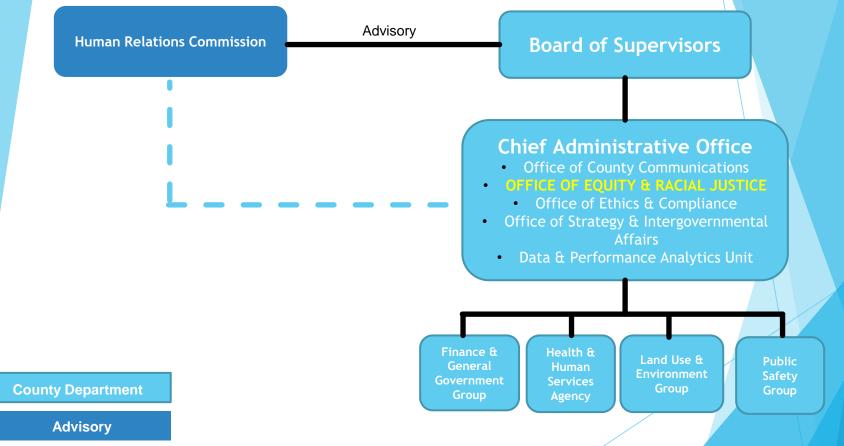
Questions?



Overview

- On July 14, (agenda item F.2) we provided an overview of the Request for Proposal (RFP) process process that will be used to select a consultant to assist the Commission in the development of a mission statement for the office of Equity and Racial Justice (OERJ)
 - Posted publicly for full and open competition (BuyNet)
 - Evaluated by a Source Selection Committee (SSC)
 - Conflict of Interest
 - ► Contains a Statement of Work (SOW) and evaluation criteria
- Commission asked staff to return for further discussion
 - Requesting input to the development of the SOW general requirements and the background and experience criteria.

HRC Organizational Structure



Reporting/Advisory Structure

HUMAN RELATIONS COMMISSION

- Established by Resolution by the Board of Supervisors
- Serves as an advisory board to the Board of Supervisors and the Chief Administrative
 Officer

OFFICE OF EQUITY AND RACIAL JUSTICE

- Established County Department
- Reports directly to the Chief Administrative Office

General Requirements

- Consultant shall survey nationwide best practices for the development of an Office of Equity and Racial Justice for the County of San Diego and present same to the Human Relations Commission.
- Consultant's survey of nationwide best practices shall include looking at government entities of similar size and demographics as the County of San Diego.
- Consultant will facilitate discussion of the Human Relations Committee in developing the mission statement for the Office of Equity and Racial Justice.
- Consultant will provide information regarding equity, inclusion, systemic racism, and racial justice within the San Diego County environment to the Human Relations Commission as part of its facilitation of developing a mission

General Requirements

- Consultant shall meet with the Human Relations Commission and any associated sub-committees as needed in furtherance of facilitating development of the mission statement.
- Consultant shall produce the mission statement as developed by the Human Relations Commission.
- Consultant shall advise as requested by the Human Relations Commission, which may include implementation of recommendations related to the mission statement and needs of the OERJ.
- Consultant shall facilitate and solicit community input regarding the mission statement and the OERJ, when and as requested by the HRC.

Background and Experience

- Demonstrated experience in the field of inclusiveness and diversity training and consulting.
- Experience working with government entities, public sector boards, commissions, committees, or other large organizations, in which the focus on equity, inclusion, diversity, systemic racism, and racial justice, to develop, review, or enhance equity and inclusion within those institutions.
- Understanding of Ralph M. Brown Act requirements and experience working with public entities subject to the Act.

Background and Experience

- Understanding of issues of diversity, inclusion, and equity, including deep awareness and analysis of systems of oppression, power, and privilege and use of research-based strategies to transform work and community environments
- Familiarity with research, data, and studies of diversity, inclusion, and equity regarding or applicable to the San Diego region.
- Nowledge of, and successful implementation of, diversity, inclusion, and equity work with large scale diverse groups, teams, and/or organizations.
- Communication skills, particularly in working with diverse populations.
- Commitment to social change work.

Next Steps

- Pending today's input, staff will issue the RFP and solicit proposals. The RFP will be open for responses for approximately three weeks from the posting date. This schedule will allow the evaluation and a subsequent Notice of Intent to Award (NOI) in the fall.
- ▶ Will return to the HRC to request that 3 HRC members serve on the Source Selection Committee (SSC) to participate in the objective evaluation of proposals.



Adjourn Next Meeting: August 25



Thank you for attending.